

**Federal Defenders
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October 28, 2022

VIA ECF & EMAIL

The Honorable Paul E. Davison
United States Magistrate Judge
Southern District of New York
300 Quarropas Street,
White Plains, NY 10601

Defendant's release conditions are modified to the extent that defendant shall comply with a curfew, between 7 pm and 8 am, instead of home incarceration.

So Ordered 10/31/22



Re: *United States v. Kene Emezue*, 7:22-mj-7994

Dear Honorable Judge Davison:

I write to respectfully request that the Court modify Mr. Emezue's bail conditions to impose a curfew, which would permit him to leave his apartment to receive skill building services with his care provider.

Mr. Emezue made his initial appearance before Your Honor on October 3, 2022. Mr. Emezue was released to the custody of his mother, Kimberly Capehart, on home incarceration. As the Court was made aware at the initial appearance, Mr. Emezue has been diagnosed with Autism Spectrum Disorder, Selective Mutism, and Intellectual Disability. Due to this condition, he finds repetitive behavior reassuring. The Court granted my request on October 17, 2022, to permit Mr. Emezue to leave his apartment to put trash in the incinerator located on his floor of his apartment building a task he regularly completed prior to his arrest.

Recently, Mr. Emezue's pre-trial services officer, Viosanny Harrison, contacted the parties and indicated that she believed a curfew would be the most appropriate level of supervision for Mr. Emezue as it would allow him to re-engage in skill building services that he had participated in prior to his arrest. These services allowed Mr. Emezue to learn how to navigate his neighborhood and learn to be more independent under the supervision of a care worker. As it was her suggestion, his pre-trial services officer supports this modification. I have contacted the assigned Assistant United States Attorney Josiah Pertz and he does not object to this modification.

Therefore, Mr. Emezue respectfully requests the Court grant this request. Thank you for your time and consideration of this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Elizabeth K. Quinn", with a long horizontal flourish extending to the right.

Elizabeth K. Quinn
Assistant Federal Defender

cc: Josiah Pertz, AUSA
Viosanny Harrison, PTO